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CITY OF ALAMEDA, and its

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ALAMEDA PUBLIC FINANCING AUTHORITY, and

15 ALAMEDA PUBLIC IMPROVEMENT CORPORATION

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

18 SAN FRANCISCO DIVISION

19 CITY OF ALAMEDA, CALIFORNIA, on
20 behalf of itself and ALAMEDA POWER &
21 TELECOM, a department of the City of
Alameda; ALAMEDA PUBLIC FINANCING
22 AUTHORITY; and ALAMEDA PUBLIC
IMPROVEMENT CORPORATION,

23 Plaintiffs,

24 vs.

25 NUVEEN MUNICIPAL HIGH INCOME
OPPORTUNITY FUND; THE NUVEEN
26 MUNICIPAL TRUST; and NUVEEN ASSET
MANAGEMENT, INC.,

27 Defendants.

28 And related actions

Case No. C 08-04575 SI

Related Case No. C 09-1437 SI

[Complaint filed October 1, 2008]

Case assigned to the Honorable Susan Illston

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE SETTLEMENT
CONFERENCE**

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WHEREAS when the parties set the settlement conference in this matter for May 28, 2009, they anticipated that, by late May, discovery would have been open for between three and four months;

WHEREAS it now appears that discovery will not have opened at all by May 28, 2009 and the pleadings are currently not set;

WHEREAS it may be sensible to involve the additional parties who recently filed a closely-related lawsuit in any settlement conference;

WHEREAS the parties to the recently-filed related action will require time to prepare for a settlement conference;

THEREFORE, it is hereby stipulated that the May 28, 2009 settlement conference shall be continued to a mutually convenient date not later than October 15, 2009. The parties will attempt to schedule the settlement conference before Magistrate Spero but, to the extent Magistrate Spero's calendar is not compatible with the calendars of the parties and the October 15, 2009 deadline, the parties may explore the option of mediating the matter using a private mediator. The parties and the Court will discuss the settlement conference further at the June 5, 2009 Case Management Conference.

DATED: May 14, 2008

WULFSBERG REESE COLVIG & FIRSTMAN
PROFESSIONAL CORPORATION

By /s/ Richard E. Elder
RICHARD E. ELDER

Attorneys for Plaintiffs and Counterclaim Defendants
CITY OF ALAMEDA, et al.

DATED: May 14, 2008

DAVIS & CERIANI, P.C.

By /s/ Michael P. Cillo
MICHAEL P. CILLO

Attorneys for Defendants and Counterclaimants
NUVEEN MUNICIPAL HIGH INCOME
OPPORTUNITY FUND, et al.

1
2 DATED: May 14, 2008

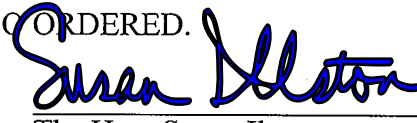
SHARTSIS FRIESE LLP

3 By /s/ Robert C. Friese
4 ROBERT C. FRIESE

5 Attorneys for Counterclaim Defendant
6 STONE & YOUNGBERG LLC

7 PURSUANT TO STIPULATION, IT IS SO ORDERED.

8 DATED: _____


9 The Hon. Susan Ilston
10 United States District Judge

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